

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/699,901
Filing Date: November 3, 2003
Applicant: Martin Novil et al
Group Art Unit: 3673
Examiner: Alison K. Pickard
Title: SEALING GASKET WITH FLEXIBLE STOPPER
Attorney Docket: 03-0019/CPA (8470-000119/CPA)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM BENEFIT UNDER
35 U.S.C. 120 AND 35 U.S.C. 119(e) OF PRIOR FILED APPLICATION AND
PROVISIONAL APPLICATION (37 C.F.R. 1.78(a)(3) and 1.78(a)(6))**

1. Applicant further petitions in accordance with § 1.78(a)(3) and 1.78(a)(5)(i) to claim the benefit for this application under 35 U.S.C. § 120 of prior co-pending U.S. Patent Application 10/650,339, filed August 28, 2003 (now U.S. Publication No. 2005/0046120A1, published March 3, 2005).
2. Applicant submits herewith an amendment to the first sentence, after the title of the application (1.78(a)(5)) making references in this application to prior filed applications whose benefit is claimed.
3. Applicant states that the entire delay between the date the claim for the benefit of the earlier application was due under paragraph (a)(3) and (a)(5)(i) of 37 C.F.R. § 1.78 and the date this claim is filed was unintentional.

4. The surcharge fee set forth in § 1.17(t), required by 37 C.F.R. 1.78(a)(6)(ii), is paid as follows:

☐ Attached is a ☐ check ☐ money order in the amount of _____

☒ Authorization is hereby made to charge the amount of \$1,370.00

☒ to Deposit Account No. 08-0750

☐ to Credit Card as shown on the attached credit card information authorization form PTO-2038

WARNING: Credit card information should not be included on this form as it may become public

☐ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Respectfully submitted,

Dated: February 27, 2007
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